

REMARKS

This is in response to the non-final Official Action currently outstanding with regard to the above-identified application.

Claims 1-22 were present in this application at the time of the issuance of the currently outstanding FINAL Official Action. The present Amendment amends Claims 1, 13 and 22. No claims are added, cancelled or withdrawn by the foregoing Amendment. Accordingly, upon the entry of the foregoing Amendment, the claims under active prosecution in this application will be Claims 1-22 as hereinabove amended.

The claims as they will stand upon the entry of the foregoing Amendment are set forth in full hereinabove in association with appropriate status identifiers as required by the Rules.

In the currently outstanding Official Action, the Examiner has:

1. Acknowledged Applicants' claim of foreign priority under 35 USC 119(a)-(d), and to confirmed the safe receipt of the priority document for this application by the United States Patent and Trademark Office;
2. Accepted the formal drawings filed in the above-identified application on 28 April 2006;
3. Acknowledged Applicants' Information Disclosure Statements as filed on 28 April 2006 and 28 September 2006 by providing applicants with a signed, dated and initialed copy of the Forms PTO/SB/08a/b that accompanied those Statements in confirmation of the consideration of the art listed therein.

4. Rejected Claims 1, 5, 15, 16 and 19-21 under 35 USC 102(e) as being anticipated by Minamio et al. (US Patent No. 6,864,177).
5. Rejected Claims 2, 3, 6-14, 17 and 18 under 35 USC 103(a) as being unpatentable over the Minamio et al reference.
6. Indicated that Claim 22 is allowed.

With regard to items 1-3 above, further detailed discussion in these Remarks is not believed to be necessary.

Similarly, with regard to item 6 above, no further comment is deemed to be required except to note that Applicant has made a minor amendment to Claim 22 hereinabove that is believed to improve the clarity of the wording of that claim without any impact upon the substance thereof. A decision confirming the allowability of Claim 22 as so amended in response to this communication is respectfully requested.

With respect to items 4-5 above, Applicants respectfully request entry of the above stated amendments to Claims 1 and 13. In this regard, Applicants respectfully note that the amendment to Claim 13 is solely for the purpose of improving the clarity of the wording of the claim. Reconsideration of the currently outstanding rejections in this application is respectfully requested in view of the foregoing Amendment and the following comments.

By the foregoing Amendment, Applicants have clarified Claim 1 in that it now is specifically recited therein that the sealing body is made of molding resin and further that the sealing body is formed by molding. Applicants respectfully submit that as so amended, the claims of this application now are neither anticipated nor obvious in view of the Minamio et al reference.

Specifically, Applicants respectfully note that the Minamio reference merely discloses that the periphery of the imaging element 4 shown therein is filled with a sealing resin 6 so as to hermetically seal a gap between the end portion of the imaging element 4 and the base 31. Thus, at column 1, lines 33-36 of the Minamio et al reference (the only point therein at which the element 6 is discussed) Minamio et al state that:

The periphery of the imaging element 4 is filled with a sealing resin 6 so as to hermetically seal a gap between the end portion of the imaging element 4 and the base 31.

Minamio et al, therefore, fails to teach, disclose or suggest that the optical element 4 therein is to be sealed by a sealing body that is formed by molding and made of a molding resin. Indeed, it is Applicant's understanding of the Minamio et al reference that it is directed to the formation of a base containing an aperture to which an imaging element 4 can be mounted, the base member being a molded structure containing the terminals and wiring required for the electrical connection of an imaging element. However, the only means affixing the imaging element 4 to the base member 31 so as to face through the aperture therein is the sealing resin disposed around its periphery as discussed above.

Simply stated, nothing in the Minamio et al reference in any way teaches, discloses or suggests that the sealing resin 6 is either a molding resin or that that resin is formed by molding at the periphery of the imaging element 4. Instead, the sealing resin 6 discussed and shown by the Minamio et al reference seals and apparently adheres the periphery of the imaging element 4 to the adjacent surface of the base 31. In this regard, Applicants respectfully call attention to FIGS. 6 and 9 of the Minamio et al reference wherein it is shown that the resin 6 is applied to the outer periphery of the imaging element 4 and that some of that material resides between the peripheral portion of the imaging member 4 facing the aperture in the base 31 and the peripheral portion surrounding the aperture in the base member 31 upon which the terminals and wires are disposed. As mentioned above, nothing in Minamio et al teaches, discloses or suggests that the sealing resin 6 is, or could be, molded so as to assume the configuration shown in the Minamio et al drawings.

Accordingly, in view of the foregoing Amendment and Remarks, Applicants respectfully submit that Claims 1-22 of the above-identified application upon the entry of the foregoing Amendment will be in condition for allowance. Therefore, a decision so holding in response to this submission is respectfully requested.

Applicants also believe that additional fees beyond those submitted herewith are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

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SIGNATURE OF PRACTITIONER

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